

Influencing Public Policy – the Church’s Role

APTO Conference, Auckland, 3 November 2006

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Public policy is a major area where the ‘good news’ of the Gospel needs to be constantly reflected upon and presented to the wider community and where the Churches, despite falling numbers and a myriad of other problems, can still make a real difference.

In an age of pluralism and George W. Bush, it is of interest to consider how much the moral values of one particular stream of minority religious tradition should be allowed to set the public policy of the majority. This is not an easy issue to resolve. History is full of botched attempts.

We speak to public policy when we do theology in the market place. We may or may not mention Christ, the bible, the Church, or portray any Christian symbol in so doing. That is not the issue. We have the power of the Spirit in everything we do. ‘God co-operates with those who seek to do good’, St Paul reminds us in Romans. The fact of our ‘making the Word become flesh’ in certain areas of human endeavour is how we ‘bring good news to the poor, liberate captives, open the eyes of the blind and announce the Lord’s year of favour’ in modern terms.

The principle that emerges I believe is that each presentation needs to be argued in the marketplace on its merits as being beneficial to the Common Good rather than as a specific Christian teaching. In that way, the rest of the Christian baggage doesn’t hinder the process and the ‘virtue’ stands as a divine insight on its own merits.

In this paper, I look at three things surrounding formulation of public policy. Firstly, I point to several public policy positions taken by our government in recent years where in my view the influence of Christian teaching has helped form the foundation for the policy. Secondly, I look at how non-violent direct action can be not just a valid form of Christian moral action but at times a moral imperative in terms of shaping public policy. And thirdly, I ask how in an abrasive society, forgiveness could be promoted as an important component of public policy in seeking the Common Good.

Influencing Public Policy

In recent years, there has been several specific Christian campaigns that have helped New Zealand develop public policy in line with the basic principles of the Common Good. There are probably many other examples but I highlight just four to illustrate where the Church’s influence may have been decisive.

This is not an attempt to claim exclusivity in matters of policy change. That would be quite wrong. We all know that often it has not been the Church which has initiated these campaigns. Rather, she has been a Johnny-come-lately to the party. Having said that, in all of these issues, (and there are many more), we have joined others of good heart and intent to make changes which benefited the Common Good. We have recognised the presence of God through solidarity, human rights and the option for the poor which brings about the Kingdom of God in our midst. The Church plays a vital but not exclusive role in this process. Public policy is where eventually these truths can be held.

In the area of development and aid, government policy (weak as it sometimes appears to be in many ways at the moment) was largely shaped by a consensus coming from the churches in the 1960s and 1970s that New Zealand needed to not just be involved in helping our needy neighbours with aid, but also that we needed to apply vigorous support to them as they struggled to build just societies free from colonial domination. In this debate, the priority of the dignity of people made in God’s image was presented, the need to be independent and free to think and act was encouraged, and solid links were made with groupings here and abroad to help implement more just structures. These continue today.

In the whole area of peacemaking in the Pacific, where New Zealand has taken a lead in nuclear-free issues to the point where even conservative political parties here are reluctant to tamper with legislation keeping us nuclear-free, it is hard to believe this would have happened without the involvement of the Churches. It is Christian theology that we should not kill, that war is immoral, that peacemakers are blessed. And it is a part of the gospel that many take very seriously. There were, I suggest, Christian footprints all over the nuclear-free legislation.

The struggle against apartheid in South Africa was a hugely educative process during the period 1960-90 for the New Zealand Churches and Christians generally. It resulted in substantial change of attitude towards racially selected sporting teams and race issues generally by a majority of active Christians in this country. They joined community-based organisations like CARE and HART in promoting equality for people, regardless of race. One could say that it was because of the involvement of so many from the Churches in the apartheid struggle, that impetus was created to join Maori to help redress injustices, historic and otherwise, facing them.

In the areas of criminal justice, it has been a bevy of Christians across the country who constantly held up a mirror to rising prison numbers and harsher penalties who eventually became the backbone of the movement which has led to both habilitation centres and restorative justice now being accepted in public policy and legislation. In this field, New Zealand has become a world leader both in the juvenile field and in the adult arena.

Non-violent Direct Action

But what happens when normal persuasion fails? When vested interests ignore the Common Good? Not once. Repeatedly. There is another honoured tradition that stretches back to Jesus and the early Church. It is called non-violent direct action or resistance. Wasn't this the process engaged in by the early martyrs when they refused to follow state policy and worship the emperor? Refusal became an act of defiance against the state punishable by death.

Defiance in the face of injustice is an Christian honourable tradition. It is the process enacted when all other avenues have failed, when lobbying is ignored, when those in authority won't listen. It was the process of Te Whiti o Rongomai and the people of Parihaka in the 1880s in resisting the Crown's land grab, Mahandas K. Gandhi and thousands of supporters in India in the 1920-40s in the independence struggle, Martin Luther King and thousands of Negroes seeking civil rights in the 1960s in the US.

Many felt this was their only option when the Irish Government gave its support for the war in Iraq and refused to listen. The Irish Constitution guarantees the neutrality of Ireland. Yet by 2003 Shannon Airport had become a virtual US base for which the government receive E15 million in annual rental. More than 300 000 troops had passed through in the previous year alone en route to the war. Hundreds of body bags and thousands of injured soldiers have returned through Shannon Airport en route back to the US. Huge demonstrations had failed to change government policy.

In February 2003, five Catholic Workers – Australian Ciaran O'Reilly, American Nuin Dunlop, Scotswoman Karen Fallon and Irish citizens Damien Moran and Deirdre Clancy – broke into an airport hangar at Shannon Airport in Co. Clare, Ireland. There they followed the biblical injunction of Isaiah, and symbolically 'disarmed' a US military C40A logistics supply plane by beating on it with hammers and pouring their own blood over it. They then erected a shrine to the war dead in Iraq and knelt in prayer awaiting arrest. The police were called and the five were charged with criminal wilful damage.

Shannon Airport had been dubbed by them 'a pit stop' for the 36 000 US troops who had already passed through in the first six weeks of 2003 on their way to war in Iraq. Part of the aim of the action was to highlight the use of Shannon as a military base. This fact was largely unknown to the Irish people. But they also sought 'to put the Irish Government on trial' during the subsequent court case. In other words, they would seek to turn the case against themselves for criminal damage on its head and 'charge' the Irish government for its complicity in the US/UK war machine.

To make a moral case for a defence of 'lawful excuse', the five argued that the protest was necessary in order to prevent worst crimes taking place. These included the continuation of an illegal war, the bombing of children, the destruction of the earth and the environment, the death of innocents. This approach to peacemaking flows not just from scripture and Catholic moral law but also from international law. In 1946, the war crime's Nuremberg Tribunal stated, 'Individuals have international duties which transcend the international obligations of obedience. Therefore (individuals) have the duty to violate domestic laws to prevent crimes against peace and humanity from occurring'.

The judge allowed some moral argument to be presented. This was a significant legal breakthrough. It meant that the morality which should underpin good law could be examined along with legal definitions.

The five agreed they had caused damage to the US Navy plane. But they argued that their moral consciences demanded an initial law breach in order to effect a greater good, namely the saving of lives, lands and property in Iraq. This constituted a lawful excuse and enfolded a greater moral principle than mere damage to property. They also wanted to protect people, especially the old and the young in Iraq, who were already vulnerable after a decade of economic sanctions. The five also feared for the young US soldiers and were concerned that Shannon Airport itself might become a terrorist target. They also hoped to motivate others to act against the war and Ireland's facilitation of the military build-up. Such thinking sits very well within the Catholic Church's moral teachings.

It took the jury less than three-and-a-half hours to find the five not guilty of criminal damage. In effect, the jury agreed that to damage an American military plane in these circumstances could not be considered a crime. Morally, the lives saved potentially out-weighted the property damage.

In more than 100 previous Ploughshares trials in the US, Canada, Australia and several European countries, the jury has rarely been allowed by the presiding judge to hear any moral arguments about the underlying reasons for the protest action. The issue has been decided simply on a basis of law – as if the law had no moral base and all law was of equal importance. Previously, with two exceptions, juries have found hundreds of peacemakers guilty as charged. Nearly all have been imprisoned, some for several years.

It seems obvious to me that sometimes one symbolic action based on prayer and good planning can often present a 'divine' teaching in ways that a thousand academic papers and teach-ins will never do. In my view, it is the Ploughshare activists, Catholic Workers and others like them who believe in 'non-violent direct action' who are the only ones capable of confronting the principalities and powers over issues on war, the destruction of the environment, poverty and other systemic injustices. The institutional churches are usually far too compromised materially and spiritually to ever take a stand that will lead to positive change. Remember, the scribes and Pharisees in the time of Jesus were not bad people. They were simply compromised out of any relevance – hence could not hear the message of truth that Jesus brought.

The Irish public have been informed by the Pit Stop Ploughshares action in ways that no volume of submissions or policy statements could ever hope to achieve. The net result is that now there is a follow-up move to demilitarise Shannon Airport. It's a flow-on from their case and another way of conducting public debate when the traditional avenues have been closed.

A similar action took place in Australia. There has been considerable debate started in relation to the US military base at Pine Gap in the heart of Australia. Four Christian pacifists, tired of lobbying a government hell-bent on not listening, are facing serious charges as a result of their non-violent prayerful protest at the Pine Gap military installation. Pine Gap is Australia's most important contribution to 'the military intelligence' waging the war in Iraq.

The charges arise from an action in December 2005 when a group of six people calling themselves *Christians Against All Terrorism* notified the then Minister of Defence of their intention to inspect the Pine Gap base for terrorist activity as they believed it was being used to provide targeting information for terrorist bombing in Iraq. After walking to the remote site for five hours, Adele Goldie and Jim Dowling entered the base and hung their banner on a security fence. It read '*What have you done? Your brother's blood cries out to me from the earth,*' a quote from the Book of Genesis. They then climbed onto the roof of a building to take photos, before kneeling and praying for peace in Iraq and Afghanistan. They were then arrested.

An hour later Brian Law and Donna Mulhearn, dressed in white overalls inscribed with the words '*Citizens Inspection Team*', walked through the outer restricted area right up to the high security fence and started cutting through the wire before being stopped. Both prayed, placed a crucifix against the fence and were arrested. The final two members, Sean O'Reilly and Jessica Morrison, were arrested after protesting legally with banners outside the base. Their charges have since been dropped.

Donna Mulhearn said, 'We were arrested for non-violent peacemaking at the heart of the war machine. We were trying to expose the criminal role of Pine Gap in the slaughter of hundreds of thousands of innocent people.' Jim Dowling, who lives in a Catholic Worker community in Queensland with his

wife and six children, has been resisting Australia's involvement in war for three decades through creative non-violence and prayer. He said that non-violent resistance was the most effective tool in speaking to a government which does not listen to Christ's message and wants to wage war. 'Now Australia is at war again. It is immoral. Christians have no choice but to resist.'

One would have to conclude that non-violent resistance and direct action can have a wonderfully liberating effect for the message of Christ in certain circumstances. Both are certainly part of our Christian tradition and continue to help shape public perception and hopefully public policy.

Forgiveness as Public Policy

My final reflection looks at where public policy might well benefit from a specific Christian input to help society operate better. My question asks whether forgiveness should become part of public policy.

One of the more tragic events of the year occurred in early October 2006 when five little girls from an Amish school in Nickel Mines, Pennsylvania, were lined up and shot by an embittered gunman who then shot himself. What made it even more compelling was that some of the Amish parents and other community members immediately went to comfort the widow of the gunman and his three children. More than one half of those who later attended his funeral were from the Amish village. For them it was natural. They live in a culture where forgiveness is central to everyday living. What an amazing insight into the divine. How well did that action speak to the very essence of the soul?

Just imagine if George W. Bush and the evangelical Christians who form such a solid base for his administration had joined forces with the Catholic bishops and mainstream church leaders after September 11 2001 to practise forgiveness as a political way forward. If they had said, there is something badly wrong here if whole groupings of people are prepared to sacrifice their lives in order to make their point. Instead, they found a scapegoat and marched off to war. Theirs' was a response of vengefulness, the deadly effects of which far out-weight even the hideous massacre of September 11 and from which the US has still to emerge.

New Zealand society is now so angry, so unforgiving, so harsh in its condemnation of those who offend, or are perceived to have offended. If anyone has any doubt about this, note the response to the Norm Withers referendum on criminal offending and its flow on effect – nearly 40 percent more in prison after only four years in a time when crime rates were dropping.

I believe forgiveness needs to become a critical component of public policy to humanise the harshness of our punitive culture. Not only do we need to be able to say 'sorry' for hurts rendered and mean it, but we need to be able to accept genuine apology when we are hurt. But we need to learn to understand forgiveness, healing and reconciliation better than we currently do.

In this debate, the Church could provide a primary source of reflection and challenge. Church practice already gives it notional assent. But we could be much more creative. How desperately important it is for Christians and the Churches who claim to understand something of these matters to be consistently putting them before the public. The Catholic Church has a great theology of forgiveness and reconciliation – but we have domesticated it almost out of existence and ritually it is practised now only by relatively few.

Yet forgiveness is possible. Who will ever forget the sight of Kim Phuc, the nine year old Vietnamese girl, etched forever in the memory of the world through that remarkable 1972 *Time* magazine photo, running, screaming, suffering from massive burns to most of her body from the napalm dropped on her village. If ever a picture encapsulated the horrors of war, that one did. Now more than 30 years later, she has forgiven those who attacked her and has grown through her pain to become a leader who tours frequently on behalf of UNICEF asking the question 'why war' and demanding 'war never again'. Despite having a deeply scarred body, her spirit is healed and is whole again – because she has forgiven. She is fully human, fully alive because she has learnt mercy and forgiveness.

There are many other well-known stories of public forgiveness for huge crimes committed. Gordon Wilson, for his daughter killed in a bomb blast in Northern Ireland; Michael Lapsley, who lost an eye, two hands and suffered nearly fatal internal injuries from a parcel bomb sent from the apartheid regime; Camilla Carr, who was kidnapped and raped by Chechnyan rebels in 1997. These represent

only a small number of millions of people who daily chose to forgive others who have grievously hurt them.

Many find it hugely difficult. An Anglican priest whose daughter died in the 7 July 2005 London train bombing has taken time out from parish work because she cannot forgive the bomber who took her daughter. Publicly she can see the contradiction from her status as a priest to the very difficult emotional position she finds herself in.

The Essential Forgiveness

In many respects forgiveness is probably the most difficult of all human virtues to practise. Yet it remains central to any lasting healing process, personal or collective, though it's importance is often underrated and unspoken. On the surface it sometimes seems an unfair thing to attempt given the pain caused by an injustice. But practising forgiveness is a foundation stone for healthy living. It is the step we need to take to be free of the ongoing negative effects of past injustice. It has transformative qualities not found elsewhere. To decide to forgive is to create a different future from one controlled by events from the past. It doesn't mean forgetting the past. It means remembering the past in a different way, leaving one free to develop the future. One becomes re-empowered not controlled by events from the past.

For many, forgiveness essentially comes from God and is a divine gift. Specifically for the Christian it flows from an understanding of the death and resurrection of Christ. But regardless of religious views, forgiveness is among the most healthy mature things we can do as human beings and is a derivative of love. It can be freely offered or sought, given or refused. Forgiveness is a central part of holistic healing and at some time needs to form part of the journey for any party seeking to be fully restored from pain, loss or hurt.

Archbishop Desmond Tutu, who chaired the Truth and Reconciliation Commission in South Africa through which a whole nation came to grips with its criminal past, heard literally thousands of testimonies from victims and offenders during the four years of the commission. He speaks eloquently and passionately about forgiveness as an essential component of healing.

'I have been bowled over by the incredible humility one has experienced from the victims, both black and white, who have suffered as much as they have. By rights they should have been hate-ridden by lust for revenge. They have exhilarated me by how ready they are to forgive. I have come to see that. Yes, of course you have an acknowledgment by the wrong doer that they have done something that was very wrong, that they owe to us confession so that the victim, the survivor be enabled to forgive. But I have come to believe fervently that forgiveness is not just a spiritual and ethereal thing unrelated to the real world, the harsh world out there. I have come to believe very fervently that without forgiveness, there is no future.'

He points out that to forgive is not just to be altruistic. It is the best form of self-interest. It is also a process that does not exclude self-hatred and anger. These emotions are all part of being human. As he says, 'When I talk of forgiveness, I mean the belief that you can come out the other side a better person – a better person than the one being consumed by anger and hatred. Remaining in that state locks you into a state of victimhood, making you almost dependent on the perpetrator. If you can find it within yourself to forgive, then you are no longer chained to the perpetrator. You can move on and even help the perpetrator become a better person too.'

Tutu goes on to say that 'forgiveness is the capacity to make a fresh start. That is the power, the rationale of confession and forgiveness. And forgiveness is the grace by which you enable the other person to get up, to get up with dignity and begin anew. Not to forgive leads to bitterness and hatred, which just like self-hatred and self-contempt gnaws away at the vitals of one's being. Whether hatred is projected out or projected in, it is always corrosive of the human spirit.'¹

In relation to crime, restorative justice advocate Howard Zehr points out that the victim's forgiveness is a letting go of the power that the offence and the offender have over him, while not condoning or excusing that person. It means no longer letting the offence and the offender dominate. 'Without the experience of forgiveness, without this closure, the wound festers and takes over our lives. It, and the offender, are in control. To forgive a person is to let go. It is to say that I will not define myself by your

actions towards me. I will not allow you to have any power over me. Real forgiveness allows one to move from victim to survivor.²

In the area of restorative justice processes, there are real possibilities for forgiveness because of the nature of conferencing with parties meeting face-to-face and taking responsibility for what has happened. In effect, this is another area of public policy where forgiveness is a constitutive component. The same applies to the thousands of youth justice conferences held each year. In these processes, forgiveness is part of public policy.

Thankfully, New Zealand has already publicly started a process of acknowledging wrongdoing and offering apology and reparation as a process towards healing historic past injustices. This is most evident in relation to Treaty of Waitangi claims. Each settlement contains not just reparation by way of money and lands for illegal seizures but also a written apology for hurt caused. It is a process that while it appears to be largely symbolic from one perspective, it is important and acceptable from another.

In 2002, Prime Minister Helen Clark also formally apologised to the Chinese people in New Zealand who had undergone more than 100 years of structural discrimination. She also that same year apologised to both the Samoan people for the 70 years of discrimination they had suffered here in New Zealand and to gay and lesbian people for the discrimination they have faced since colonisation. The contrast with Australian PM John Howard's refusal to say 'sorry' for the genocide of Aborigines in Australia couldn't be more marked.³

As we have seen, the notions of apology, forgiveness and reparation are already a small part of public policy in New Zealand. But there remains a harshness to modern life that only a full debate about forgiveness and the steps required to make it happen will satisfy. What might this mean?

We would need good teaching. Most people in the street think that forgiveness means 'going soft' and rolling over in the face of injustice. In fact, it means the opposite. It is a tough, tough virtue which only strong people can enact. It involves walking in the shoes of the opponent to get a better understanding; it involves letting go of the pain of the hurt; it means praying daily for grace to make it happen not once but every day; it involves seeing one self as the primary beneficiary.

What about the Church? What if the Church took public rituals for forgiveness out of the exclusive hands of the clergy and placed them also in the hands of the People of God? What if she promoted such rituals among the laity as being so central to Christian life that we couldn't live without them? What might happen to the sacrament of reconciliation if we took it back to its origins?

What if the notion of forgiveness was promoted at the heart of the criminal justice system in political circles, in law schools, in the courts? What if training in forgiveness and reconciliation became part of every judge's training? What if such training was inextricably tied to the notion of accountability?

Conclusion

Forgiveness doesn't mean forgetting. But it is an essential component of civil life. It doesn't come soft or cheap. But it is vital and needs to be part of the public discussion of building a better future. Like Desmond Tutu, I believe that 'without forgiveness, there is no future.'

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¹ Desmond Tutu, *No Future Without Forgiveness*, Rider Books, London, 1999

² Howard Zehr, *Changing Lenses*, Herald Press, Scottdale, PA, 1990

³ Robert Consedine and Joanna Consedine, *Healing Our History – the Challenge of the Treaty of Waitangi*, Penguin Books, Auckland, 2001, 2005, p220-241